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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/896,835

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James A. Worsham

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EXAMINER

NGUYEN, DAVID Q

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,835

Applicant(s)

WORSHAM ET AL.

Examiner

David Q Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Serbetcioglu et al. (WO 95/12948) in view of Rhodes (US 6343120).

Regarding claim 1, Serbetcioglu discloses in a telecommunications system comprising an advanced intelligent network (AIN) wireline network connected to a wireless network, a method for providing an audio calling name and number feature to a wireless telephone in association with a telephone call from a calling party telephone to the wireless telephone, the method comprising the steps of: sending a message from an originating service switching point (SSP) associated with the calling party telephone to a terminating mobile switching center (MSC) associated with the wireless telephone, wherein the message comprises the directory number of the calling party telephone; tripping a wireless trigger at the terminating MSC and, in response, sending a query to a service control point (SCP); querying a home location register (HLR) associated with the wireless telephone to determine whether the wireless telephone is available;

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if the wireless telephone is available, then forwarding a name and a number associated with the calling party telephone to a service node; placing a call from the service node to the wireless telephone; and playing an audio annunciation of the name and the number (see page 9, line 10 - page 15, line 24; page 27, line 16 -page 30, line2).

Serbetcioglu is silent to disclose the directory number of the calling party telephone from a database of subscriber names associated with directory numbers. However, Rhodes discloses the directory number of the calling party telephone from a database of subscriber names associated with directory numbers (see col. 4, lines 5-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Rhodes to Serbetcioglu so that the system provides a capability for calling parties to provide alias information to a called party in lieu of merely identifying the calling party by some expression such as private or anonymous.

Regarding claim 2, the method of Serbetcioglu et al in view of Rhodes also discloses the method of claim 1 wherein the name and the number are retrieved from a database by the SCP (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 3, the method of Serbetcioglu et al in view of Rhodes also disclose determining that the called party has rejected the call; and dropping the outgoing call and playing an announcement to the calling party (see page 9, line 10 -page 15, line 24; page 27, line 16 - page 30, line 2 of Serbetcioglu).

Regarding claim 4, the method of Serbetcioglu et al in view of Rhodes also disclose the rejection is an audible rejection from the called party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

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Regarding claim 5, the method of Serbetcioglu et al in view of Rhodes also disclose wherein the rejection comprises a keypad input from the keypad of the wireless telephone (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 6, the method of Serbetcioglu et al in view of Rhodes also disclose determining that the called party has accepted the call; and connecting the call to the wireless telephone (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 7, the method of Serbetcioglu et al in view of Rhodes also disclose the acceptance is an audible rejection from the called party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 8, the method of Serbetcioglu et al in view of Rhodes also disclose the acceptance comprises a keypad input from the keypad of the wireless telephone (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 9, the method of Serbetcioglu et al in view of Rhodes also disclose determining that the called party has sent the call to voicemail; and connecting the call to the voicemail service of the wireless telephone (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 10, the method of Serbetcioglu et al in view of Rhodes also disclose the sending is an audible order from the called party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 11, the method of Serbetcioglu et al in view of Rhodes also disclose the sending comprises a keypad input from the keypad of the wireless telephone (see page 9, line 10

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-page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 12, Serbetcioglu et al disclose an audio calling name method for audibly announcing to a called party a calling name of a calling party in an Advanced Intelligent Network (AIN) in association with a call from the calling party to the called party, wherein the AIN includes a switch, a service node, and a service control point (SCP), wherein the service control point is functionally connected to the switch and the service circuit node, wherein the service control point includes a database of subscriber information including a list of calling names associated with directory numbers, and wherein the audio calling name method comprises the steps of: sending the calling party number in a message to a terminating mobile switching center (MSC) associated with a wireless telephone of the called party; sending a query from the MSC to the SCP; determining, at the SCP, the calling name associated with the calling party number; forwarding the calling name and calling party number to the service node; placing an outgoing call from the service node to the called party directory number; and playing an announcement to the calling party, wherein the announcement comprises an audible annunciation of the calling name associated with the calling party number (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line2).

Serbetcioglu et al are silent to disclose the calling party number obtained from the database. However, Rhodes discloses the calling party number obtained from the database (see col. 4, lines 5-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Rhodes to Serbetcioglu so that the system provides a capability for calling parties to provide alias information to a called party in lieu of

merely identifying the calling party by some expression such as private or anonymous.

Regarding claim 13, the method of Serbetcioglu et al in view of Rhodes also disclose the announcement further comprises an audible announcement of the calling party number (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 14, the method of Serbetcioglu et al in view of Rhodes also disclose determining whether the wireless telephone of the called party is available by querying a home location register (HLR) associated with the wireless telephone and if not, then playing a busy signal to the calling party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 15, the method of Serbetcioglu et al in view of Rhodes also disclose the announcement further comprises a list of possible ways for the called party to direct the call from the service node (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 16, the method of Serbetcioglu et al in view of Rhodes also disclose the list comprises a rejection choice which allows the called party to reject the call and wherein a signal will be transmitted to the calling party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 17, the method of Serbetcioglu et al in view of Rhodes also disclose the list comprises an acceptance choice which allows the called party to answer the call and wherein a call will be connected between the calling party and the called party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Regarding claim 18, the method of Serbetcioglu et al in view of Rhodes also disclose

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the list comprises a voicemail choice which allows the called party to reject the call and wherein the calling party will be connected with the voicemail service for the called party (see page 9, line 10 -page 15, line 24; page 27, line 16 -page 30, line 2 of Serbetcioglu).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 703-605-4254. The examiner can normally be reached on 8:30AM-5:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika A Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

DN

David Nguyen


ERIKA GABY
PATENT EXAMINER